

Staff Summary Report



Development Review Commission Date: 04/10/07

Agenda Item Number: 2

SUBJECT: Hold a public hearing for a General Plan Amendment for **DOUBLE BUTTE CEMETERY** located at 2505 W. Broadway Road.

DOCUMENT NAME: DRCr_DoubleButte_041007

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Request for **DOUBLE BUTTE (PL070054)** for a General Plan Land Use Map Amendment for 5.42 acres for the Double Butte Cemetery future mausoleum site located at 2505 W. Broadway Road, in the GID, General Industrial District, including the following:

GEP07002 (Resolution No. 2007.17) – General Plan 2030 Projected Land Use Map Amendment for approximately 5.42 acres to be amended from the Public Open Space Land Use designation to the Public Recreational/Cultural Land Use designation.

The applicant is Jeff Valasquez, J2 Design, for the owner City of Tempe.

PREPARED BY: Diana Kaminski, Senior Planner (480-858-2391)

REVIEWED BY: Lisa Collins, Planning Director (480-350-8989)

A handwritten signature in black ink, appearing to be 'LC' or similar initials.

LEGAL REVIEW BY: N/A

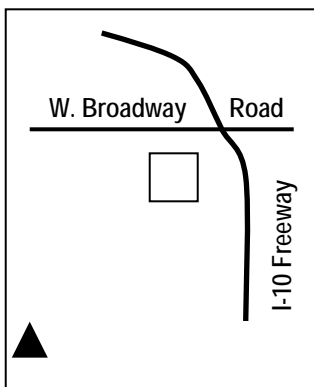
FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:

Gross/Net site area	5.42 acres
Building area	5,934 s.f. (future mausoleums)
Lot Coverage	2.5 % (No Standard in GID)
Building Height	22 ft (future gateway feature, not built; 35 ft allowed)
Vehicle Parking	41spaces
Bicycle Parking	0 spaces

A neighborhood meeting is not required with this application; there are no residents or neighborhood associations within the project area.



ATTACHMENTS:

1. List of Attachments
 - 2-7. Comments / Reasons for Approval
 - 8-11. Conditions of Approval
 12. History & Facts / Description / Zoning & Development Code Reference
-
- A. Resolution 2007.17
 - B. Location Map
 - C. Aerial Photo
 - D. Letter of Explanation
 - E. Site Plan

COMMENTS:

The applicant is requesting an approval for a General Plan Amendment for 5.42 acres of the Double Butte Cemetery, located south of Broadway Road, just west of the Interstate-10 Freeway, at what is known as the Broadway curve, at the base of Belle Butte. The Double Butte Cemetery is zoned General Industrial; there is no zoning designation for public properties. The cemetery was designated public open space, due to the largely open environs, because it was substantially undeveloped, justifiably provided an outdoor open area for respite from the built environment, it is owned, accessed and viewed by the public for the purpose of small gatherings, preservation of natural resources and promotion of public well-being. However, a future phase of the cemetery includes the addition of mausoleums, infrastructure which substantially alters the landscape and creates, in effect a built environment that is no longer open space. A study was made earlier in the design process to determine the most efficient method of adding plots to the cemetery. Due to the rocky conditions at the base of the butte, underground internment was not practical in all locations; additional underground internments are being accommodated with the addition of fill dirt to the site. This planned expansion and intensification of the use warrants a modification to the land use designation to recreational/cultural. The emphasis in this application being the cultural use; land primarily used for passive activities such as gathering for prayer, personal reflection or historical or genealogical research. By removing 5.42 acres from the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by lowering the amount required to trigger a major amendment. A former condition of approval for the addition of the mausoleums included the requirement to amend the General Plan, to more accurately account for how land is being used in Tempe. This portion of the cemetery is proposed to be designated public recreational/cultural, because of the addition of buildings. The site is still a public facility, with cultural significance in the historic nature of who is interred on site. This proposal is consistent with the General Plan 2030 Projected Land Use and Residential Density maps. The design of the mausoleums and landscape plan were previously submitted for a design review process, but were withdrawn; these are not a part of this request. Staff recommends approval of the request to amend the General Plan Land Use map.

Public Input

The Zoning and Development Code requires projects that propose a General Plan Amendment to organize a neighborhood meeting regarding a proposal in order to facilitate dialogue with the adjacent community prior to public hearings. Property within a three hundred foot radius of the subject site is all owned by the City of Tempe, and there are no neighborhood associations within six hundred feet of the subject site. Copies of the application were sent to adjacent communities 60 days prior to the Council hearing date, as required by state law. To date, staff received one phone inquiry from a resident interested in the proposal, however there have been no comments or issues brought forth regarding the proposed amendment to the General Plan land use map.

General Plan Analysis**Land Use Element:**

This project complies with the land use goals and element objectives for General Plan 2030. The land use proposed for this site is Public Recreational/Cultural. This designation was defined to cover all properties publicly owned, that were quasi-open space, but did not meet the state requirements or intent for public open space, due to infrastructure or development on site. Other examples of this include the Tempe Performing Arts Center, Tempe Public Library Complex, Gammage Auditorium, ASU Sun Devil Stadium, and the Cardinals Training Facility. The majority of the cemetery will remain designated public open space, however, the future additions of above-ground mausoleums changes the character of this portion of the property, into a developed site. For the purposes of accounting for land use and maintaining an accurate balance of open space, this proposed amendment meets the state intent for the Growing Smarter initiative.

Accessibility Element:

The project is required to meet all requirements set forth in the ADA Design Guidelines for new projects. Implementing design for accessibility includes: accessible parking spaces, minimum size public sidewalks, and direct access from the main entrance to the public sidewalk.

Community Design Element:

The mausoleum design will need future development review processing.

Historic Preservation Element:

The property is historic.

Housing Element:

N/A

Neighborhoods Element:

N/A

Redevelopment Element:

N/A

Economic Development Element:

N/A

Cost of Development Element:

N/A

Environment (Air, Noise, Ambient Temperature, Energy) Element:

Development of 5.42 acres at the base of Belle Butte may displace a small portion of wildlife, however, there mausoleums are relatively small buildings that enable passage to other areas of open space nearby. There is no anticipated air, noise, ambient temperature or energy impacts anticipated with such a relatively small development, surrounded by freeway, busy arterial, and rocky mountain outcrop.

Land (Remediation, Habitat, Solid Waste) Element:

There is no foreseen impact on this element.

Water (Water, Wastewater, Stormwater) Element:

The cemetery is required to retain stormwater run-off on site.

Transportation (Pedestrian Network, Bikeways, Transit, Travel-ways) Elements:

N/A for the general plan amendment, site improvements were conditioned with the design review application last year, including access improvements from Broadway Road.

Aviation Element:

N/A

Open Space Element:

The proposed amendment removes 5.42 acres of public open space from this designation.

Recreational Amenities Element:

Passive activities such as contemplation or prayer are available on this property.

Public Art & Cultural Amenities Element:

Historical or genealogical research opportunities are available on this property.

Public Buildings and Services Elements:

The addition of mausoleums expands the very limited opportunity that residents have for being interred within Tempe: Tempe is land locked, and this is the only cemetery within its borders.

Public Safety Element:

The cemetery has regular hours of visitation, and would be secured appropriate to its use, there are no foreseen safety issues resulting from the proposed change in land use.

Conclusion

The request complies with General Plan 2030 projected land use and residential density for this site.

REASONS FOR APPROVAL:

1. The project meets the General Plan Projected Land Use and Projected Residential Density for this site.
2. The project meets the design review conditions of approval for phase one.
3. The project meets the state requirements for open space and land use accounting set forth within the Growing Smarter legislation for General Plans.

CONDITIONS OF APPROVAL:

1. Comply with all conditions of approval formerly required with the design review approval (DRB05114) approved on April 17, 2006 and conditions modified on September 25, 2006.
2. Future expansion or development of the Double Butte Cemetery will require further development review process.
3. Specific requirements of the **Zoning and Development Code** are not listed as a condition of approval, but will apply to any application. To avoid unnecessary review time, and reduce the potential for multiple plan check submittals, it is necessary that the applicant be familiar with the Zoning and Development Code (ZDC), which can be accessed through www.tempe.gov/zoning, or purchased at Development Services.
4. The project site has an Archaeologically Sensitive designation. State and federal laws apply to the discovery of features or artifacts during site excavation (typically, the discovery of human or associated funerary remains). Where such a discovery is made, contact the Arizona State Historical Museum (520-621-6302) for removal and repatriation of the items. Contact the Tempe Historic Preservation Officer (Joe Nucci 480-350-8870) if questions regarding the process described in this condition.
5. Future expansion or development of the cemetery will require compliance with any standards set forth within the Americans with Disabilities Acts.
6. Future expansion or development of the cemetery will require Water Department approval of a stormwater retention plan.

HISTORY & FACTS:

September 13, 1887	Tempe Cemetery Association formed by local citizenry for the purpose of establishing a cemetery in Tempe.
1888	Property which became the site of the cemetery was donated by Niels Peterson. The beginning of cemetery layout dates from 1888.
July 1, 1958	The cemetery is turned over to the City of Tempe and from this date, except for a brief period noted below is a publicly managed facility.
June 3, 1999	The City Council denied an extension of one-year agreement for enhancement of cemetery by the Tempe Double Buttes Cemetery, Inc (a private agency) and directed city attorney to re-acquire the Double Butte Cemetery for the City.
June 23, 1999	The Board of Adjustment accepted the withdrawal for the following request by the Tempe Double Buttes Cemetery Inc. (Gilbert Szajna) located at 2505 W. Broadway Road in the AG, Agricultural and I-1 Light Industrial zoning districts: Use permit to allow cemetery with mausoleum, lawn crypt area and office maintenance building; variance to reduce the front yard setback in the AG zoning district from 40 feet to 1 foot; variance to reduce the side yard setback in the I-1 zoning district from 12 feet to 0 feet.
June 15, 2005	The Design Review Board held a meeting for two buildings: a 1,308 s.f. visitor's center and a 1,848 s.f. mausoleum, as phase one of a future mausoleum expansion planned for the hilly eastern portion of the cemetery. The proposed project was continued and scaled back, to exclude the visitor's center and any mausoleums as a part of phase one. Due to the remaining scope of work, staff was authorized to review the application.

April 17, 2006 Staff approved the proposed burial sites, entrance gateway, small parking lot, parking pullouts and landscape and irrigation. The approval did not include the perimeter fence, mausoleum or visitor's center that was originally part of the submittal.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 6-302, General Plan Amendment

RESOLUTION 2007.17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TEMPE, ARIZONA, AMENDING THE GENERAL PLAN 2030
PROJECTED LAND USE MAP FROM PUBLIC OPEN SPACE
TO PUBLIC RECREATIONAL/CULTURAL FOR
APPROXIMATELY 5.42 ACRES LOCATED AT 2505 WEST
BROADWAY ROAD AND OWNED BY THE CITY OF TEMPE.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, that the General Plan 2030
Projected Land Use Map is hereby amended for approximately 5.42 acres from Public Open Space to
Public Recreational/Cultural located at 2407 East McArthur Drive.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,
this _____ day of _____ 2007.

Mayor

ATTEST:

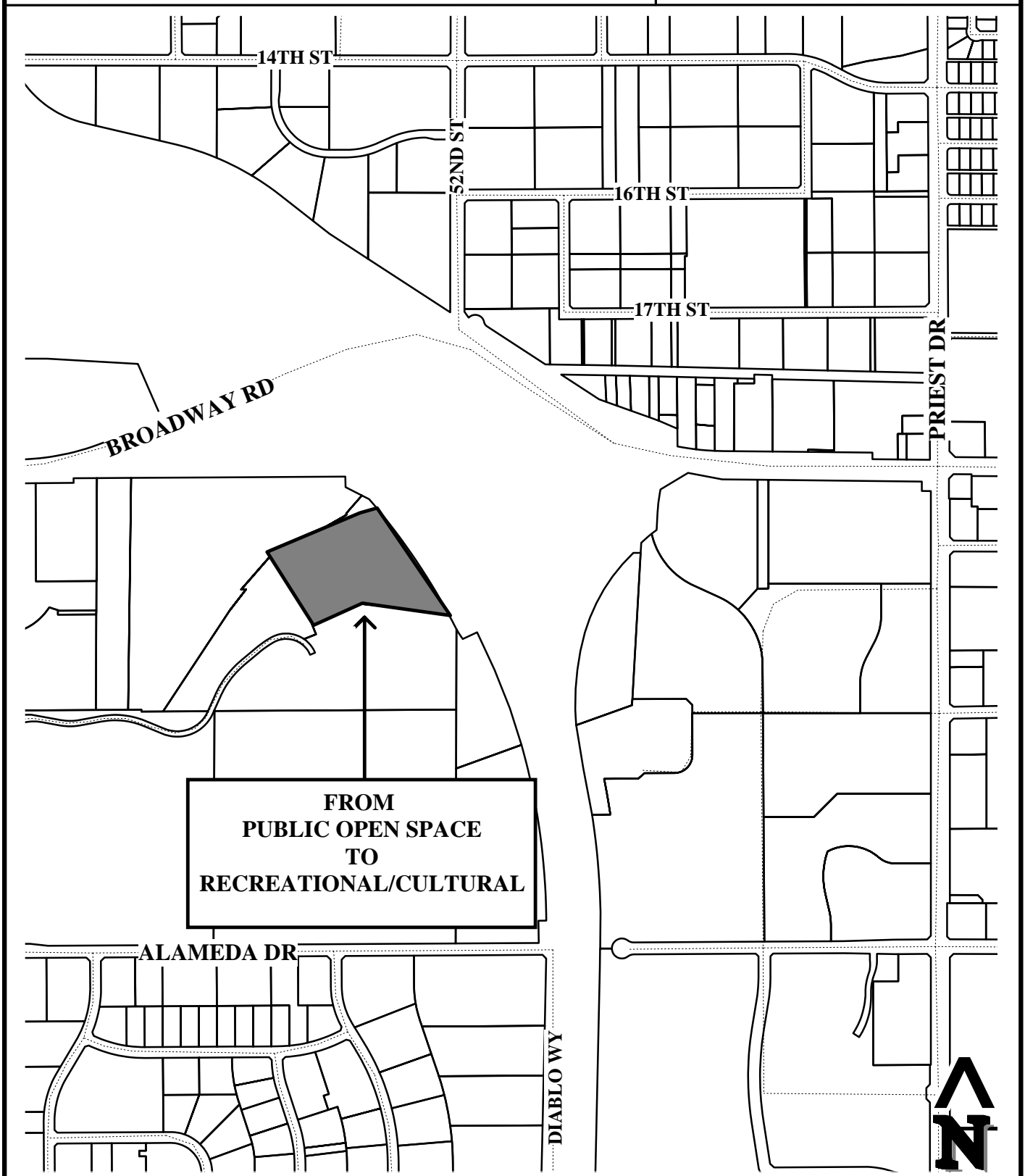
CITY CLERK

APPROVED AS TO FORM:

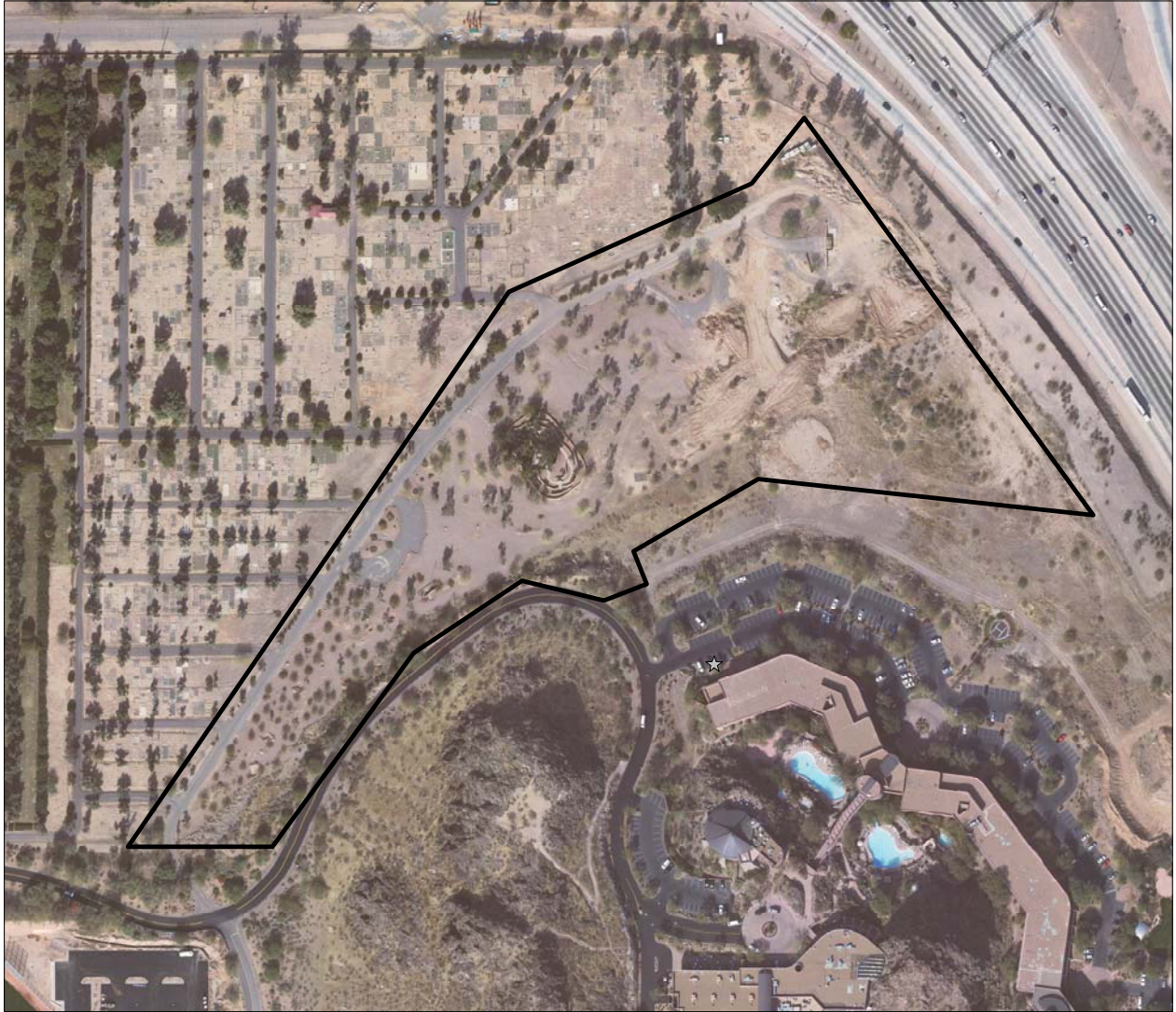
CITY ATTORNEY

TEMPE DOUBLE BUTTE CEMETARY

PL060586



Location Map



DOUBLE BUTTE CEMETERY (PL070054)

I. Written justification for the amendment, including public benefit:

A. Explanation:

The proposed land use map amendments would change land use designations on specific properties identified as: Double Butte Cemetery Future Mausoleum Site and Victory Acres Park. This amendment implements the General Plan 2030 Land Use, Open Space and Cultural Amenities Elements, and will facilitate accurate accounting and balance of land uses within Tempe.

At the time that the General Plan was adopted by Council (December 2003), several projects were in concept stages that affected the land use, but were not far enough in planning to accurately define the land use designation on a specific property.

- Double Butte Cemetery is zoned General Industrial District (GID) and has a General Plan Land Use designation of Open Space. Tempe does not have a zoning district for public facilities, and the cemetery was designated open space because it was substantially undeveloped, justifiably provided an outdoor open area for respite from the built environment, it is owned, accessed and viewed by the public for the purpose of small gatherings, preservation of natural resources and promotion of public well-being. However, a future phase of the cemetery includes the addition of mausoleums, infrastructure which substantially alters the landscape and creates, in effect a built environment that is no longer open space. This planned expansion and intensification of the use warrants a modification to the land use designation to recreational/cultural. The emphasis in this application being the cultural use; land primarily used for passive activities such as gathering for prayer, personal reflection or historical or genealogical research. By removing 5.4 acres from the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by lowering the amount required to trigger a major amendment.
- Victory Acres Park is zoned Single Family Residential (R1-6) and Multi-Family Residential (R-2) and has a General Plan Land Use of residential with a density of up to 15 dwelling units per acre. Tempe does not have a zoning designation for parks or schools. This park has been discussed for many years, during both the Parks Masterplan outreach and the General Plan public process; but there was not a site available to identify in either plan. State law prohibits identifying public open space on private property; therefore the park could not be sited on a map. Since the General Plan adoption, a site became available and was purchased by the city. Efforts are underway to plan and design the new park. By adding 2.6 acres to the open space designation, it provides for a more accurate accounting of land use, and affects the definition of future amendments by increasing the amount required to trigger a major amendment.

B. The proposed amendment benefits the public by fulfilling applicable objectives (indicated in *italics*) of the Land Use Element of General Plan 2030:

1. *Encouraging reinvestment and redevelopment appropriate to a particular area.* Making infrastructure improvements helps maintain a cultural amenity to the community and beautifies the area, promoting further reinvestment. Building a park in Victory Acres fulfills a long expressed need for recreational amenities and encourages continued investment into one of Tempe's Cultural Resource Areas.
2. *Developing and implementing plans that address particular geographic area needs.* The cemetery is land locked and at capacity, the plan to add mausoleums to Tempe's only cemetery serves current and future resident needs. Currently, residents living east of the Loop 101 Pima Freeway are cut off from other neighborhood parks or even school playgrounds. Building a park in Victory Acres provides residents safe pedestrian access to a neighborhood park.

3. *Promote neighborhood preservation and enhancement.* By creating an land use buffer that encourages community interaction in Victory Acres.
4. *Preserve significant historic resources.* By improving landscape treatment and gated entry to the cemetery, protecting the remains and monuments to Tempe's pioneers.

C. The proposed amendment benefits the public by fulfilling the following applicable objectives (indicated in italics) of the Open Space Element and the Public Art & Cultural Resources Element:

1. *Maintain and enhance existing open space* by adding the gate and infrastructure improvements to the cemetery, the existing open space will be enhanced, even with the addition of the mausoleums and overall reduction of total open space because more residents will be able to use the facility.
2. *Identify opportunities for new open space* by adding a new park in Victory Acres.
3. *Design structures with flexibility for future needs* by adding mausoleums to existing casket sites in cemetery and by designing park with sufficient open areas for impromptu play.
4. *Build structures for long-term use.*
5. *Provide facilities that promote community interaction.* Both the cemetery and the park are designed for community use, informal and formal gatherings and promoting a sense of place.

II. Identification of the impacts on applicable objectives of the General Plan:

A. Land Use Balance:

The greatest impact of the proposed amendment is in the change of land use balance within certain designations; below is a chart of the proposed amendments and the percent decrease to each of the General Plan 2030 Projected Land Use categories:

<u>%Change</u>	<u>Acres:</u>	<u>From:</u>	<u>To:</u>
.28%	5.4 acres	Public Open Space	Recreational/Cultural
.16%	2.6 acres	Residential	Public Open Space
	7.0 gross acres		

These proposed land use amendments would incrementally change the threshold for future amendments to the plan, by changing the acres required to trigger a major amendment. The combined amendments would have a .149% decrease of projected open space; with 1,872.3 acres of projected open space, any future amendment of greater than 18.72 acres would require a major amendment to the General Plan.

B. Transportation/Traffic/Streets:

Traffic impacts have not been studied with the proposed amendment, however, it is anticipated that providing mausoleums in the cemetery will not significantly increase the amount of traffic. The park is designed and intended as a neighborhood park, serving residents within walking distance. Parking is provided on street and for accessibility.

C. Public Services:

The addition of a new park will increase the service area provided by the city, it is estimated that Victory Acres Park would add approximately \$26,150 in annual maintenance costs to the Parks Budget.

III. Explanation of how potentially negative influences are to be mitigated:

The addition of a park into the neighborhood may have negative influences if it attracts people who wish to use the park for illegal or nuisance activities. These factors can be controlled largely by design and management of the park, and also through increased police patrols if necessary.

IV. Explanation of how the proposed amendment supports the Land Use Principles in the Land Use Element:

- A. *Describe the public benefit of the proposed amendment in terms of increase/decrease in intensity and its impact on adjacent land uses versus the impact of the present land use designation:*

The present land uses do not have corresponding zoning standards, because the land is being used for open space and there are no zoning districts for public uses in Tempe. The intensification of the cemetery use does add structures which reduce surface area open land for rain water distribution, and increases structural surface for heat absorption; however, the scale of the project should not impact adjacent uses. The park site has zoning that would allow a greater intensity of use of the site than what is being proposed. Although a park is expected to serve a large number of residents, it is a less intense use than multi-family or commercial uses. A park use would have different impacts on adjacent land uses than what might have been developed with the existing zoning.

- B. *Describe the public benefit of the proposed amendment in terms of impact on the City's infrastructure (i.e. water, sewer, utilities, streets, in terms of anticipated traffic generation, projected carrying capacity, projected volume, need for more streets, city services etc.) versus the impact of the present land use designation.*

The proposed cemetery improvements are not anticipated to have any additional impacts on city infrastructure. Minimal additional maintenance costs may occur as a result of the mausoleum structures. The proposed park is not anticipated to require significant water, sewer or utility needs; compared to commercial or multi-family uses, the park is a less intense use of the site. Traffic generation will predominantly be bike and pedestrian traffic; design of the park is not intended for significant vehicular traffic. The park increases the general retention available for stormwater runoff. City services will be impacted by the addition of a park that needs security and maintenance, which would not be needed as a privately developed residential site.

- C. *Describe the proposed development quality of life in terms of, physical elements and how its components reflect unique site design, building design, landscaping, integrate or provide access between varied uses, deal creatively with the automobile, reduce/eliminate physical barriers as well as provide residential, employment and shopping opportunities.*

Please describe the projects design elements here:

Mausoleum

Mausoleum structures would be constructed in the eastern portion of the cemetery and would respond to the character of the cemetery and the surrounding area. The mausoleum structures would vary in overall size and number of burial units and would be constructed in phases. Three structures would provide 384 burial units each, two structures would provide 576 burial units each, three structures would provide 786 burial units each and one structure would provide for 1,155 burial units. There would be approximately 6,336 total burial sites within the mausoleum structures.

Victory Acres Park

Victory Acres Park will be the 48th neighborhood park in Tempe. It will be located at 2407 E. McArthur in the Victory Acres neighborhood. The planned park is approximately 3 acres and features a playground, BMX/skateboard area, basketball court, ramadas and an open play area. Community involvement has been a priority throughout the parks planning and development process.

- E. *Describe the proposed development in terms of, 1) supporting regional and local transit objectives for arterial streets, 2) implementing the goals and objectives of the Comprehensive Transportation Plan, 3) the internal street system in terms of supporting the above goals and*

objectives, and 4) incorporating uniquely designed transit facilities along the arterial streets.
Not applicable

F. Describe the proposed amendment in terms of effects on the school districts (enrollments and facilities). Not applicable

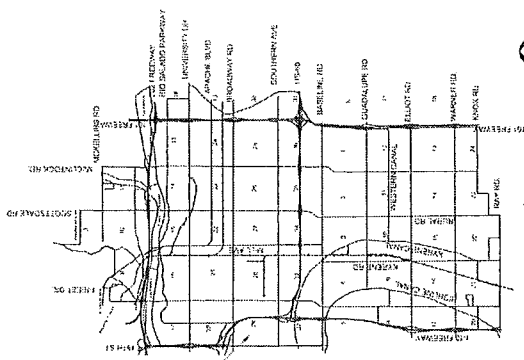
V. Relationship of the amendment to the remaining elements of the General Plan:

- A. The proposed amendments implement the following objectives of the Accessibility Element:
 - Use universal designs, which are cost efficient and benefit the greatest number of users possible.
 - Where possible, create multi-use access that does not separate portions of the populations
 - Promote ergonomic, human-scaled environments
 - B. The proposed amendments supports the objectives of the Community Design Element by:
 - Creating recognizable and usable places by enhancing enclosure, connections, permeability and transparency
 - Providing focal points
 - Encouraging and enhancing pedestrian movement
 - Responding to climatic factors and human comfort
 - Providing opportunities for interaction and observation
 - C. The proposed amendments implement the following objective of the Historic Preservation Element:
 - Identify, preserve and protect significant historic properties and archaeological sites
 - D. The proposed amendments would implement the following objectives of the Neighborhood Element:
 - Ensure that the planning process is open to all residents and businesses of the community
 - Promote neighborhood preservation and enhancement
 - Minimize traffic impacts
 - Develop walkable communities
 - Promote alternative modes of transportation
 - E. The proposed amendments would implement the following objectives of the Redevelopment Element:
 - Ensure the provision of adequate infrastructure
 - Encourage reinvestment, revitalization, redevelopment or reuse
 - Stimulate private investment
 - Attract new development
 - F. The proposed amendments would implement the following objectives of the Economic Development Element:
 - Promote a sustained improvement in the standard of living and quality of life for residents
 - G. The proposed amendments would implement the following objectives of the Cost of Development Element:
 - Encourage development that does not exceed planned infrastructure or service capacity.
 - Ensure that land use intensification or redevelopment provide for necessary infrastructure or service capacity
 - I. The proposed amendments would implement the following objective of the Conservation Chapter Elements: Environment, Land and Water:
 - Reduce the number of vehicle miles traveled
- Note: most of the objectives of this chapter of elements are specific to city policies and programs, not related to this proposed land use amendment.

- J. The proposed amendments implement the following objectives of the Transportation Chapter and the Pedestrian Network, Transit, Travelways, Motorists, Bikeways, Parking & Access Management Elements:
- Develop a functional relationship between the diverse land uses in Tempe and the transportation system that serves them.
 - Provide convenient and safe pedestrian access to destinations to promote neighborhood sustainability
 - Ensure accessibility for all
 - Provide safe and convenient bicycle access from neighborhoods, to schools, parks, shopping, transit, employment and other destinations
 - Create a compatible relationship with adjacent land uses
 - Encourage and plan for rail uses
- K. The proposed amendments would implement the following objectives of the Open Space Element:
- Maintain and enhance existing open space
 - Identify opportunities for new open space
- L. The proposed amendments would implement the following objectives of the Recreational Element:
- Provide a variety of recreational opportunities
 - Serve an expanding and changing population
- M. The proposed amendments would implement the following objectives of the Public Art and Cultural Amenities Element:
- Bring people together to celebrate diverse traditions, promote cultural awareness and inspire people.
- N. The proposed amendments would implement the following objectives of the Public Buildings Element:
- Provide facilities that promote community interaction and build relationships with service providers
- O. The proposed amendments would implement the following objectives of the Public Services Element:
- Facilitate infrastructure planning for future service needs

The remaining elements of the plan have objectives specific to city policies and programs, and are not directly related to the proposed land use map amendments.

3000-1-2005



LOCATION MAP

TOTAL BUILDING AREA & VISITOR CENTER	5604 SQ. FT.
TOTAL LANDSCAPE AREA EVERYTHING EXCEPT ROADS, BUILDINGS, SIDEWALKS, PARKING	1,542,716 SQ. FT.

SITE DATA

CITY OF TEMPE	
DEPARTMENT OF PUBLIC WORKS	
PROJECT: TEMPE DOUBLE BUTTE CEMETERY	
DATE: MAY 23	PROJECT NO: 980105
DESIGNED BY: [Signature]	CHECKED BY: [Signature]
DATE: [Date]	DATE: [Date]
SHEET 1 OF 1	

